



7/6/04

RACINOS / DETROIT CASINO TAX

HB 4612 (BROWN)

- The vote defeating HB 4612 was reconsidered.
- Sikkema/EMERSON (S-9) This would increase the Detroit casino tax by 6%. 4% of the casino tax increase (\$49 million) would go to the state. 2% (\$24 million) would go to Detroit.
- EMERSON 1A (1 amend) was adopted [no RC]. Decrease the tax to 1% with the construction of the permanent facilities
- EMERSON 1B (1 amend) was adopted [no RC]. This would help ensure permanent casinos and hotels are built in Detroit.
- HB 4612 failed to achieve 3/4th support and was defeated [RC 548: 28 yes, 8 no]. The vote defeating HB 4612 was reconsidered and postponed temporarily.
- Emerson 1B was reconsidered and then withdrawn [no RC].
- Jacobs 1C was defeated [no RC]. Tie-bar casino tax to racino bill
- Emerson 1D was adopted [no RC].
- The vote defeating HB 4612 was reconsidered.
- HB 4612 passed with IE [RC 570: 29 yes, 7 no].

MESSAGES FROM THE HOUSE

SB 1215 (Hammerstrom)

SB 1215 is part of a package of bills is an effort to dismantle barriers to job creation and establishes the principle of certainty and governmental accountability. The bills would establish a maximum processing time for business permits and provides an incentive for government to act. This would help provide certainty for new, existing, and expanding businesses.

- The Senate concurred with the House changes to SB 1215 [RC 523: 36 yes, 0 no].

HB 4013 (Newell)

HB 4013 would allow for the abatement of a father's portion of confinement/pregnancy expenses for the mother of his child if he marries the mother after the child's birth.

- The Senate concurred with the House changes to HB 4013 [RC 522: 36 yes, 0 no].

HB 5647 (Howell)

HB 5647 would authorize a court to defer sentencing and place an individual on probation in a drug court program, without entering a judgment of guilt, if the individual were eligible for a drug court program.

- The Senate requested return of HB 5647 from the House.
- The vote passing HB 5647 was reconsidered [no RC].
- Cropsey 1 (S-1) was adopted [no RC].
- HB 5647 passed with IE [RC 549: 36 yes, 0 no].

FINAL PASSAGE

SB 146 (Garcia)

SB 146 would require the Secretary of State to obtain the information and consent necessary to register males younger than 26 for the Federal Selective Service System.

- SB 146 passed [RC 545: 36 yes, 0 no].

SB 1252 (SWITALKSI)

SB 1252 would authorize the Supreme Court to increase the payment due to circuit court reporters or recorders for transcripts ordered and timely filed for appeals of certain civil cases. The bill would add that the Supreme Court could authorize the payment to circuit court reporters or recorders of \$3 per original page and 50 cents for each copy for transcripts ordered.

- SB 1252 passed [RC 543: 35 yes, 1 no].

SB 1328 (Cropsey)

SB 1328 would allow a local corrections officer authorized by the county sheriff to possess and reasonably use a taser stun gun, while performing his or her official duties.

- SB 1328 passed [RC 544: 30 yes, 4 no].

HB 4260 (Van Regenmorter)

HB 4260 would prohibit any person, rather than a "person in a relationship of trust" (as is current law), from embezzling the money or property of a vulnerable adult. Currently, "vulnerable adult" means an individual, 18 years old or over, who, because of age, developmental disability, mental illness, or disability, whether or not determined by a court to be an incapacitated individual in need of protection, lacks the cognitive skills required to manage his or her property. Under the bill, that term would include an adult with any other physical or mental disability or illness, and would encompass those who lack the interest or ability, as well as those who lack the cognitive skills, required to manage some or all of their own property.

- HB 4260 passed with IE [RC 542: 34 yes, 0 no].

HB 4729 (GLEASON)

HB 4730 (Stakoe)

HB 4729-30 are part of a package of bills that would prohibit the possession or release of non-native or nuisance aquatic species, as well as regulate or prohibit the possession of genetically engineered or transgenic aquatic species.

Support: DNR, Michigan Environmental Council.

HB 4729 would subject persons in violation of Aquatic Nuisance Control laws to fines, warnings, and orders to stop prohibited conduct by the Director of the Department of Agriculture.

- **HB 4729 passed with IE [RC 540: 35 yes, 0 no].**

HB 4730 establishes an aquatic nuisance control program in the Department of Agriculture and revises the current fee structure administered by the Department of Environmental Quality.

- **Birkholz 1 was adopted [no RC].**
- **HB 4730 passed with IE [RC 541: 35 yes, 0 no].**

HB 4920 (Julian)

HB 5195 (Milosch)

HB 5240 (Julian)

The bills would revise the reporting requirements for juvenile sex offenders, require photographs of all registered offenders to be included on the public registry, and revise the Holmes Youthful Trainee Act to exclude those on trainee status from registering as sex offenders.

HB 4920 would allow individuals convicted as juveniles of non-violent/non-predatory sexual offenses to petition the circuit court for exemption from registration on Michigan's Sex Offender Registry. These offenders would have to adhere to minimal registration requirements until between their 17th and 20th birthdays, during which time they could petition the court for exemption from registration. Their petition would be forwarded to the prosecuting attorney who in turn would forward a copy to the offender's victim. The offender would have to prove by clear and convincing evidence that he or she was unlikely to engage in further listed offenses; upon doing so, the offender would be granted exemption from registration.

- **Committee 1 (S-1) was defeated.**
- **Hammerstrom 2 (S-2) was adopted.**
- **Hammerstrom 2A was adopted.**
- **HB 4920 was moved to 3rd Reading.**
- **HB 4920 passed with IE [RC 550: 36 yes, 0 no].**

HB 5195 would require the Michigan State Police to include the photograph of each individual registered in the public sex offender registry.

- **HB 5195 was moved to 3rd Reading. No amendments.**
- **HB 5195 passed with IE [RC 552: 36 yes, 0 no].**

HB 5240 would not allow individuals who have committed Criminal Sexual Conduct (CSC) in the first, second or third degree, or assault with the intent to commit CSC in the first, second or third degree (except in the instances cited above) to be assigned youthful trainee status. This bill would still allow youthful offenders the opportunity to avoid having convictions of certain crimes on their records, thus affording them an opportunity

for a “fresh start” if they are able to stay clear of the law; however, it would not allow violent and predatory sexual offenders to have this luxury.

- Committee 1 (amends) was defeated.
- Hammerstrom 2 (S-1) was adopted.
- Hammerstrom 2A was adopted.
- HB 5240 was moved to 3rd Reading.
- HB 5240 passed with IE [RC 551: 36 yes, 0 no].

HB 5482 (Ward)

HB 5482 would allow the legislative body of a city, township, or village to decide by resolution to appoint one or more additional boards of election inspectors to serve as receiving boards for an election at which the ballots were counted and certified at the precinct.

- Committee 1 was adopted [no RC].
- HB 5482 was moved to 3rd Reading.
- HB 5482 passed with IE [RC 553: 36 yes, 0 no].

HB 5698 (Rocca)

HB 5698 would standardize the language on the certificate of completion of CCW training courses, and prohibit county licensing boards from placing additional requirements on such certificates.

Support: Michigan State Police, The Michigan Coalition of Responsible Gun Owners.

- HB 5698 passed with IE [RC 547: 36 yes, 0 no].

HB 5876 (Sheen)

HB 5878 (Gaffney)

HB 5879 (Bisbee)

HB 5882 (Newell)

HB 5884 (Hune)

HB 5887 (Acciavatti)

HB 5888 (LaJoy)

HB 5889 (Brandenburg)

HB 5890 (Amos)

HB 5893 (Drolet)

HB 5894 (Stakoe)

HB 5895 (Huizenga)

HB 5896 (Taub)

HB 5897 (Casperson)

HB 5899 (Farhat)

HB 5900 (Robertson)

RED TAPE PACKAGE

The package of bills is an effort to dismantle barriers to job creation and establishes the principle of certainty and governmental accountability. The bills would establish a maximum processing time for business permits

and provides an incentive for government to act. This would help provide certainty for new, existing, and expanding businesses.

HB 5876:

- Sanborn 1 was adopted [no RC].
- HB 5876 passed with IE [RC 539: 35 yes, 0 no].

HBs 5878-5900:

- HB 5878 passed with IE [RC 524: 36 yes, 0 no].
- HB 5879 passed with IE [RC 525: 36 yes, 0 no].
- HB 5882 passed with IE [RC 526: 36 yes, 0 no].
- HB 5884 passed with IE [RC 527: 36 yes, 0 no].
- HB 5887 passed with IE [RC 528: 35 yes, 0 no].
- HB 5888 passed with IE [RC 529: 36 yes, 0 no].
- HB 5889 passed with IE [RC 530: 36 yes, 0 no].
- HB 5890 passed with IE [RC 531: 36 yes, 0 no].
- HB 5893 passed with IE [RC 532: 35 yes, 0 no].
- HB 5894 passed with IE [RC 533: 35 yes, 0 no].
- HB 5895 passed with IE [RC 534: 35 yes, 0 no].
- HB 5896 passed with IE [RC 535: 35 yes, 0 no].
- HB 5897 passed with IE [RC 536: 35 yes, 0 no].
- HB 5899 passed with IE [RC 537: 35 yes, 0 no].
- HB 5900 passed with IE [RC 538: 35 yes, 0 no].

HB 5969 (Voorhees)

HB 5969 would delete specific requirements related to signal lights on school buses, and instead require signal lights to conform to U.S. Department of Transportation Federal motor vehicle safety regulations and the Michigan Vehicle Code. The bill also would revise procedures for a bus driver stopping to receive or discharge pupils, in regard to activating lights and pulling off the road. Under the bill, if pupils were required to cross the roadway, the bus driver would have to stop on the roadway or private road, rather than as far to the right side as possible, as required currently. Additionally, the bill would require the bus to stop in the extreme right-hand lane for the purpose of boarding or discharging pupils.

- HB 5969 passed with IE [RC 546: 35 yes, 0 no].

HB 5990 (Sheen)

HB 5991 (DeRoche)

HB 5992 (Ward)

HB 5993 (Stahl)

HB 5994 (Ruth Johnson)

HB 5995 (Huizenga)

HB 5996 (Hoogendyk)

HB 5997 (Hart)

HB 5998 (Jamnick)

HB 5999 (Hune)

HB 6000 (Accavitti)

HB 6001 (Milosch)

HB 6002 (Palsrok)

HB 6003 (Hummel)

HB 6004 (Palmer)
HB 6005 (Kooiman)

HBs 5990-6005 are meant to clarify various aspects of Michigan Election Law as a follow-up to the Election Consolidation package enacted last year. Such “clean-up” or “clarifying” language has been advocated for by some members of the various municipal associations as they move ahead with implementing election consolidation. The bills will assist local units as they begin to fully implement provisions signed into law last year regarding “election consolidation.”

Support: Michigan Municipal League, Michigan Townships Association, Secretary of State, Michigan Association of County Clerks, Council of Election Officials.

HB 5990:

- HB 5990 was moved to 3rd Reading. No amendments.
- HB 5990 passed with IE [RC 554: 36 yes, 0 no].

HB 5991:

- HB 5991 was moved to 3rd Reading. No amendments.
- HB 5991 passed with IE [RC 555: 36 yes, 0 no].

HB 5992:

- HB 5992 was moved to 3rd Reading. No amendments.
- HB 5992 passed with IE [RC 556: 36 yes, 0 no].

HB 5993:

- HB 5993 was moved to 3rd Reading. No amendments.
- HB 5993 passed with IE [RC 557: 36 yes, 0 no].

HB 5994:

- HB 5994 was moved to 3rd Reading. No amendments.
- HB 5994 passed with IE [RC 558: 36 yes, 0 no].

HB 5995:

- HB 5995 was moved to 3rd Reading. No amendments.
- HB 5995 passed with IE [RC 559: 36 yes, 0 no].

HB 5996:

- HB 5996 was moved to 3rd Reading. No amendments.
- HB 5996 passed with IE [RC 560: 36 yes, 0 no].

HB 5997:

- HB 5997 was moved to 3rd Reading. No amendments.
- HB 5997 passed with IE [RC 561: 36 yes, 0 no].

HB 5998:

- HB 5998 was moved to 3rd Reading. No amendments.
- HB 5998 passed with IE [RC 562: 36 yes, 0 no].

HB 5999:

- HB 5999 was moved to 3rd Reading. No amendments.
- HB 5999 passed with IE [RC 563: 36 yes, 0 no].

HB 6000:

- HB 6000 was moved to 3rd Reading. No amendments.
- HB 6000 passed with IE [RC 564: 36 yes, 0 no].

HB 6001:

- HB 6001 was moved to 3rd Reading. No amendments.
- HB 6001 passed with IE [RC 565: 36 yes, 0 no].

HB 6002:

- HB 6002 was moved to 3rd Reading. No amendments.
- HB 6002 passed with IE [RC 566: 36 yes, 0 no].

HB 6003:

- HB 6003 was moved to 3rd Reading. No amendments.
- HB 6003 passed with IE [RC 567: 36 yes, 0 no].

HB 6004:

- HB 6004 was moved to 3rd Reading. No amendments.
- HB 6004 passed with IE [RC 568: 36 yes, 0 no].

HB 6005:

- HB 6005 was moved to 3rd Reading. No amendments.
- HB 6005 passed with IE [RC 569: 36 yes, 0 no].

HB 6025 (Milosch)

HB 6026 (Hummel)

A “qualified start-up business” is defined in the Single Business Tax Act to mean a business that (1) has fewer than 25 full-time equivalent employees; (2) has sales of less than \$1 million in the tax year for which the credit is claimed; (3) has research and development expenses.

HB 6025 exempt the real and personal property of a “qualified start-up business” from taxation. In order to claim the exemption, the business would have to apply for the exemption, and the governing body of the local tax collecting unit or, in certain instances, the county board of commissioners, would have to adopt a resolution approving the exemption. A qualified start-up business could not claim the exemption for more than five tax years.

- Committee 1 (4 amends) was adopted.
- HB 6025 was moved to 3rd Reading.
- JACOBS 1 was not adopted [no RC]. Allows a county opt out.
- HB 6025 passed with IE [RC 571: 33 yes, 2 no].

HB 6026 would provide a rehabilitated facility owned by a qualified start-up business with a exemption from the obsolete properties tax, except for that portion of the tax attributable to special assessments, debt millages, school enhancement millages, and school building sinking fund millages. The portion of the tax that is collected would be distributed proportionately to the appropriate taxing units. In order to provide the exemption, the local

tax collecting unit would have to adopt a resolution in the same manner and under the same terms and conditions as provided (that is, the same process) in HB 6025.

- Committee 1 (1 amend) was adopted.
- HB 6026 was moved to 3rd Reading.
- HB 6026 passed with IE [RC 572: 36 yes, 0 no].

THIRD READING

SB 1130 (Brown)

SB 1130 would transfer the responsibilities afforded to the Department of Agriculture to the newly created MI Exposition and Fairgrounds Authority. Such responsibilities include conducting the fair, leasing fair buildings, entering into contracts, reporting to the legislature. The authority will have the ability to promulgate rules and current rules governing the State Fair will not be rescinded.

- Committee 1 (S-3) was defeated. An amendment was added in committee that would ban automobile racing and gambling at the state fair.
- Brown 2 (S-4) was adopted.
- HB 1130 was moved to 3rd Reading.

SB 1206 (Van Woerkom)

SB 1206 would allow for the redevelopment of qualified historic buildings so that the developer is eligible for both the state historic tax credit and the full benefit of the Neighborhood Enterprise Zone tax abatement. The bill would provide greater flexibility for municipalities to establish Neighborhood Enterprise Zones which provide incentives for housing development and improvement.

- Committee 1 (S-3) was defeated.
- Allen 2 (S-4) was adopted.
- HB 1206 was moved to 3rd Reading.

RESOLUTIONS

SR 275 (Allen)

A resolution offered in memoriam of Pat Carpio and his mother Lillian Carpio.

- SR 275 was adopted [no RC].